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Nielsen Media Research

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VIA HAND DELIVERY

James D. Lyons
President

Nielsen Plaza, Northbrook, IL 60062
312-498-6300

August 31, 1989

Mr. Alfred Sikes
Chairman
Federal Communications Commission
Room 314
1919 M. Street, N.W.
Washington, DC 20554

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MAY 17 1995

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

RE: A. C. NIELSEN COMPANY'S USE OF AMOL ON LINE 22

Dear Mr. Sikes:

We have watched with growing concern and amazement the various tactics employed by Airtrax in excluding Nielsen from line 22 of the active video signal. We need and deserve prompt action on our August 11 request for temporary testing authority.

We understand that the Commission has proposed a meeting for next Thursday between Airtax and Nielsen. This is extraordinary. None of the other applicants for line 22 authority (including Airtrax) has ever been subjected to this level of delay. Nielsen's current request is for authority to do the same thing it has done on line 20 for the past 15 years. Our requests for testing and permanent authority followed the same procedures approved by the Commission when Nielsen's line 20 authority was sought and granted. The Commission's suggestion requires Nielsen to participate in further delay, and apparently is based on the Commission's desire to address Airtrax's commercial concerns. This is both unprecedented and outside the purview of the FCC.

The marketplace (particularly program syndicators) has demanded that Nielsen make a more accurate and efficient line-up gathering methodology a top priority. In attempting to meet this demand, we had hoped to complete testing and to implement AMOL on line 22 for the new broadcast season, which begins in the next few days. Airtrax's unwarranted and irrelevant allegations and questionable tactics apparently have led to the FCC's indecision and distraction from the real issue.

Airtrax's claims have no merit. Their allegations are not factual. There is no need to ask a public, which has remained silent over the 15 years AMOL has been in place, what its views are on the use of AMOL. Even if there were such a need, we fail to understand the justification for the delay in granting our August 11 request for temporary testing authority.

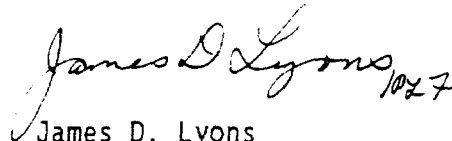
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Every day of continuing delay increases our and our clients' costs and continues a disservice to programmers, syndicators, advertisers and stations who will substantially benefit from this proposed use of AMOL on line 22. Delay also awards an undeserved business advantage to an organization which has misled the FCC into paralysis on Nielsen's legitimate and timely request for authority. Airtrax does not deserve and is not entitled to a de facto monopoly on line 22, which is exactly what may result if the FCC perpetuates its delay.

We request that the Commission finally move in an expeditious fashion and, consistent with its grant of the same permissive authority previously provided to Airtrax and others, grant Nielsen's request.

Very truly yours,


James D. Lyons
President

JDL:mar

CC: The Honorable James H. Quello
Member, Federal Communications Commission
1919 M. Street, Northwest, Room 802

The Honorable Patricia Diaz Dennis
Member, Federal Communications Commission
1919 M. Street, Northwest, Room 832

The Honorable Sherrie Marshall
Member, Federal Communications Commission
1919 M. Street, Northwest, Room 844

The Honorable Andrew Barrett
Member-Designate, Federal Communications Commission
1919 M. Street, Northwest, Room 826

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